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COMMONWEALTH OF KENTUCKY

JUL 13 2006

BEFORE THE PUBLIC SERVICE COMMISSION

PUBLIC SERVICE  
COMMISSION

In the Matter of:

AN EXAMINATION BY THE PUBLIC SERVICE )  
 COMMISSION OF THE ENVIRONMENTAL )  
 SURCHARGE MECHANISM OF LOUISVILLE GAS )  
 AND ELECTRIC COMPANY FOR THE SIX-MONTH ) CASE NO. 2006-00130  
 BILLING PERIODS ENDING OCTOBER 31, 2003, )  
 APRIL 30, 2004, OCTOBER 31, 2004, OCTOBER 31, )  
 2005, AND APRIL 30, 2006, AND FOR THE TWO- )  
 YEAR BILLING PERIOD ENDING APRIL 30, 2005 )

PETITION OF LOUISVILLE GAS AND ELECTRIC COMPANY  
FOR CONFIDENTIAL PROTECTION

Louisville Gas and Electric Company (“LG&E”) hereby petitions the Kentucky Public Service Commission (“Commission”) pursuant to 807 KAR 5:001, Section 7, and KRS 61.878(1)(a) and (c) to grant confidential protection to certain information contained in its Data Response to the Request for Information No. 7 from the Kentucky Industrial Utility Customers, Inc. (“KIUC”).

In support of this Petition, LG&E states as follows:

1. On July 13, 2006, LG&E filed its data response to the Request for Information No. 7 from the KIUC. In that request, KIUC seeks a billing analysis showing the cost differential between the two base rate roll-in methodologies in this case. The billing analysis contains the specific volumes of energy purchased and the amounts paid for the service by each of the customers. Counsel for the members of KIUC states in the request for information that this individual customer data is considered to be confidential and requests that the information be filed with the Commission pursuant to the provisions of 807 KAR 5:001, Section 7. LG&E historically has not publicly disclosed specific customer information in the public record absent a court order or a subpoena in order to protect the customer’s right of privacy.

2. Under KRS 61.878(1)(c), commercial information, generally recognized as confidential, is protected if disclosure would cause competitive injury and permit competitors an unfair commercial advantage. The information contained in LG&E's Data Response to KIUC No. 7 constitutes such confidential information which must remain confidential if the specific LG&E customers are to be protected from competitive injury.

3. Under KRS 61.878(1)(a), information of a personal nature is protected from disclosure where the public disclosure thereof would constitute a clearly unwarranted invasion of personal privacy. The information contained in LG&E's Data Response to KIUC No. 7 constitutes such personal confidential information the disclosure of which would constitute a clear unwarranted invasion of personal privacy of each of the customers.

4. Except for each individual customer, the information sought to be protected is not known outside of LG&E and is not disseminated within LG&E except to those employees with a legitimate business need to know and act upon the information.

5. The portion of LG&E's Data Response to KIUC No. 7 which LG&E is seeking confidential treatment demonstrates on its face that it merits confidential protection. If the Commission disagrees, however, it must hold an evidentiary hearing to protect the due process rights of LG&E and supply the Commission with a complete record to enable it to reach a decision with regard to this matter. Utility Regulatory Commission v. Kentucky Water Service Company, Inc., Ky. App., 642 S.W.2d 591, 592-94 (1982).

6. LG&E does not object to limited disclosure of the confidential information, pursuant to a protective agreement, to the Attorney General, KIUC or to other intervenors with a legitimate interest in reviewing the same in the context of this proceeding. Upon receipt of an

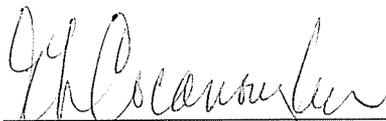
executed confidentiality agreement, LG&E will tender the confidential information to counsel for the Attorney General and KIUC.

7. In accordance with the provisions of 807 KAR 5:001, Section 7, one copy of the confidential information contained in LG&E's Data Response to KIUC No. 7 is highlighted in yellow and ten (10) copies of LG&E's Data Response to KIUC No. 7 without the confidential information is herewith filed with the Commission.

For the reasons stated, Louisville Gas and Electric Company respectfully requests that the Commission grant confidential protection for the information at issue, or in the alternative, schedule an evidentiary hearing on all factual issues while maintaining the confidentiality of the information pending the outcome of the hearing.

Dated: July 13, 2006

Respectfully submitted,



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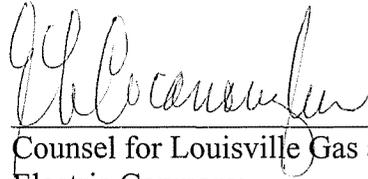
Counsel for Louisville Gas and  
Electric Company

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the above and foregoing Petition for Confidential Protection was served by United States mail, postage prepaid, to the following persons on the 13th day of July 2006:

Elizabeth E. Blackford  
Assistant Attorney General  
Office of the Attorney General  
Utility & Rate Intervention Office  
1024 Capital Center Drive, Suite 200  
Frankfort, Kentucky 40601-8204

David F. Boehm  
Michael L. Kurtz  
Boehm Kurtz & Lowry  
36 East Seventh Street, Suite 1510  
Cincinnati, Ohio 45202



A handwritten signature in cursive script, appearing to read "J. P. Cooney", is written over a horizontal line.

Counsel for Louisville Gas and  
Electric Company

**LOUISVILLE GAS AND ELECTRIC COMPANY**

**Response to First Data Request of  
Kentucky Industrial Utility Customers, Inc. Dated June 30, 2006**

**Case No. 2006-00130**

**Question No. 7**

**Witness: Robert M. Conroy**

- Q7. For each of the KIUC customers listed below, please provide a billing analysis using 12 month of representative data showing the cost differential between the two base rate roll-in alternatives. We consider this individual customer data to be confidential pursuant to 807 KAR 5:001(7), and ask that it be provided pursuant to a protective order.

Arch Chemicals  
Carbide Graphite LLC  
E.I. DuPont de Nemours & Company  
Ford Motor Company  
General Electric – Appliance Park  
Golden Foods  
Kosmos Cement  
MeadWestvaco  
Oxy Vinyls  
Protein Technologies  
Rohm & Haas

- A-7. The requested information is being provided pursuant to a Petition for Confidential Protection.